

JS 44C/SDNY  
REV.  
10/01/2020

**CIVIL COVER SHEET**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS  
SKILLZ PLATFORM INC.

DEFENDANTS  
PAPAYA GAMING, LTD.; PAPAYA GAMING, INC.,

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
King & Spalding LLP  
1185 Avenue of the Americas, 34th Floor, New York, New York 10036  
Telephone: (212) 556-2100

ATTORNEYS (IF KNOWN)  
N/A

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Lanham Act 41 U.S.C. § 1125(a)(1); New York General Business Law § 349. False advertising and unfair competition.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

**NATURE OF SUIT**

TORTS		ACTIONS UNDER STATUTES			
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 825 DRUG RELATED	[ ] 422 APPEAL	[ ] 375 FALSE CLAIMS
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[ ] 376 QUI TAM
[ ] 130 MILLER ACT	LIABILITY	[ ] 365 PERSONAL INJURY	21 USC 881	[ ] 423 WITHDRAWAL	[ ] 400 STATE
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[ ] 890 OTHER	28 USC 157	REAPPORTIONMENT
INSTRUMENT	SLANDER	[ ] 388 ASBESTOS PERSONAL			[ ] 410 ANTITRUST
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	INJURY PRODUCT			[ ] 430 BANKS & BANKING
OVERPAYMENT &	EMPLOYERS'	LIABILITY	<b>PROPERTY RIGHTS</b>		[ ] 450 COMMERCE
ENFORCEMENT	LIABILITY		[ ] 820 COPYRIGHTS	[ ] 880 DEFEND TRADE SECRETS ACT	[ ] 460 DEPORTATION
OF JUDGMENT	[ ] 340 MARINE	<b>PERSONAL PROPERTY</b>	[ ] 830 PATENT		[ ] 470 RACKETEER INFLU-
[ ] 151 MEDICARE ACT	[ ] 345 MARINE PRODUCT	[ ] 370 OTHER FRAUD	[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ENCED & CORRUPT
[ ] 152 RECOVERY OF	LIABILITY	[ ] 371 TRUTH IN LENDING	[ ] 840 TRADEMARK		ORGANIZATION ACT
DEFAULTED	[ ] 350 MOTOR VEHICLE				(RICO)
STUDENT LOANS	[ ] 355 MOTOR VEHICLE				[ ] 480 CONSUMER CREDIT
(EXCL VETERANS)	PRODUCT LIABILITY				[ ] 485 TELEPHONE CONSUMER
[ ] 153 RECOVERY OF	[ ] 360 OTHER PERSONAL	[ ] 380 OTHER PERSONAL	<b>LABOR</b>	<b>SOCIAL SECURITY</b>	PROTECTION ACT
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[ ] 710 FAIR LABOR	[ ] 861 HIA (1395f)	
OF VETERAN'S	[ ] 362 PERSONAL INJURY -	PRODUCT LIABILITY	STANDARDS ACT	[ ] 862 BLACK LUNG (923)	[ ] 490 CABLE/SATELLITE TV
BENEFITS	MED MALPRACTICE		[ ] 720 LABOR/MGMT	[ ] 863 DIWC/DIWW (405(g))	[ ] 850 SECURITIES/
[ ] 160 STOCKHOLDERS		<b>PRISONER PETITIONS</b>	RELATIONS	[ ] 864 SSID TITLE XVI	COMMODITIES/
SUITS		[ ] 483 ALIEN DETAINEE	[ ] 740 RAILWAY LABOR ACT	[ ] 865 RSI (405(g))	EXCHANGE
[ ] 190 OTHER		[ ] 510 MOTIONS TO	[ ] 751 FAMILY MEDICAL		[ ] 890 OTHER STATUTORY
CONTRACT	<b>ACTIONS UNDER STATUTES</b>	VACATE SENTENCE	LEAVE ACT (FMLA)	<b>FEDERAL TAX SUITS</b>	ACTIONS
[ ] 195 CONTRACT	<b>CIVIL RIGHTS</b>	28 USC 2255	[ ] 790 OTHER LABOR	[ ] 870 TAXES (U.S. Plaintiff or	[ ] 891 AGRICULTURAL ACTS
PRODUCT	[ ] 440 OTHER CIVIL RIGHTS	[ ] 530 HABEAS CORPUS	LITIGATION	Defendant)	[ ] 893 ENVIRONMENTAL
LIABILITY	(Non-Prisoner)	[ ] 535 DEATH PENALTY	[ ] 791 EMPL RET INC	[ ] 871 IRS-THIRD PARTY	MATTERS
[ ] 196 FRANCHISE		[ ] 540 MANDAMUS & OTHER	SECURITY ACT (ERISA)	26 USC 7609	[ ] 895 FREEDOM OF
					INFORMATION ACT
<b>REAL PROPERTY</b>		<b>PRISONER CIVIL RIGHTS</b>	<b>IMMIGRATION</b>		[ ] 896 ARBITRATION
[ ] 210 LAND	[ ] 441 VOTING	[ ] 550 CIVIL RIGHTS	[ ] 462 NATURALIZATION		[ ] 899 ADMINISTRATIVE
CONDEMNATION	[ ] 442 EMPLOYMENT	[ ] 555 PRISON CONDITION	APPLICATION		PROCEDURE ACT/REVIEW OR
[ ] 220 FORECLOSURE	[ ] 443 HOUSING/	[ ] 560 CIVIL DETAINEE	[ ] 465 OTHER IMMIGRATION		APPEAL OF AGENCY DECISION
[ ] 230 RENT LEASE &	ACCOMMODATIONS	CONDITIONS OF CONFINEMENT	ACTIONS		[ ] 950 CONSTITUTIONALITY OF
EJECTMENT	[ ] 445 AMERICANS WITH				STATE STATUTES
[ ] 240 TORTS TO LAND	DISABILITIES -				
[ ] 245 TORT PRODUCT	EMPLOYMENT				
LIABILITY	[ ] 446 AMERICANS WITH				
[ ] 290 ALL OTHER	DISABILITIES -OTHER				
REAL PROPERTY	[ ] 448 EDUCATION				

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?  
IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint  
JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN *x* IN ONE BOX ONLY)

## ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented
 ☐ b. At least one party is pro se.
 ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN *x* IN ONE BOX ONLY)

## BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] DEF [ ]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF [ ] DEF [ ]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] DEF [ ]
CITIZEN OF ANOTHER STATE	[ ] [ ]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] [ ]	FOREIGN NATION	[ ] [ ]

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Plaintiff is a Delaware corporation with its principal place of business at 6625 Badura Avenue, Las Vegas, Nevada 89118.

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Papaya Gaming, Ltd. is a foreign limited liability company with its principal place of business at HaMasger Street 35, Tel Aviv-Jaffa, Israel.

Papaya Gaming, Inc. is a Delaware corporation with its principal place of business at Isserles Street 22, Tel Aviv-Yafo, Israel, and an address at 106 West 32nd Street, New York, NY 10001.

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

## COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 03/04/2024

Craig Carpenito

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[X] YES (DATE ADMITTED Mo. 01 Yr. 2002)

Attorney Bar Code # 3969375

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)